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6 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
7 AT SEATTLE

8 UNITED STATES OF AMERICA,

9 Plaintiff,

10 v.

11 JUSTEN F. SMITH,

12 Defendant.

CASE NO. CR18-215 RSL

**ORDER REVOKING BOND AND  
DETENTION ORDER**

13 The Court has conducted a detention hearing under 18 U.S.C. § 3142(f), and concludes  
14 there are no conditions which the defendant can meet which would reasonably assure the  
15 defendant's appearance as required or the safety of any other person and the community.

16 **FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

17 On September 24, 2018, the Court ordered defendant released. Defendant subsequently  
18 violated his conditions of release by failing to comply with the terms of his location monitoring  
19 and possession drug paraphernalia and controlled substances. The parties all agree defendant  
20 suffers from serious drug addiction. Defendant was previously placed at Mack House, a clean  
21 and sober facility that provides a structure living environment. He requests he be released to the  
22 home of a relative. The Court finds defendant's conduct makes him a danger to the community  
23 and a flight risk and that he is not a good candidate for supervision. The probation office  
proffered that defendant's behavior involved multiple instances of deliberate deception, and that

1 of the seven UA tests, defendant produced only one drug free sample. Given defendant's  
2 conduct, the Court concludes no conditions of release would ensure public safety or address risk  
3 of flight.

4 It is therefore **ORDERED**:

5 (1) Defendant shall be detained pending trial and committed to the custody of the  
6 Attorney General for confinement in a correctional facility separate, to the extent practicable,  
7 from persons awaiting or serving sentences, or being held in custody pending appeal;

8 (2) Defendant shall be afforded reasonable opportunity for private consultation with  
9 counsel;

10 (3) On order of a court of the United States or on request of an attorney for the  
11 Government, the person in charge of the correctional facility in which Defendant is confined  
12 shall deliver the defendant to a United States Marshal for the purpose of an appearance in  
13 connection with a court proceeding; and

14 (4) The Clerk shall provide copies of this order to all counsel, the United States  
15 Marshal, and to the United States Probation and Pretrial Services Officer.

16 DATED this 31<sup>st</sup> day of October, 2018.

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BRIAN A. TSUCHIDA  
Chief United States Magistrate Judge